

Remarks

The Examiner's previous indication of allowability of the subject matter of claims 3, 11, and 20 is noted with appreciation. In the previous response, independent claims 1 and 12 were amended to recite subject matter that had been indicated as allowable. In the most recent action, the Office provides a new interpretation and, in essence, new grounds of rejection of claims 1 and 12 (as amended) and their dependent claims. Applicants reasonably believed these claims were allowable based on the statements in the previous action. The new action, which partially withdraws the previous indication of allowability, was nevertheless made final. The present amendment consists primarily of clarifying changes requested by the Examiner, and minor changes to claims 1 and 12 to clarify the claim in response to the Examiner's new interpretation. It is respectfully submitted that under the circumstances, entry of this amendment after final will make the case ready for allowance and is appropriate.

In the alternative, it is requested that the Examiner withdraw the finality of the pending rejection.

Upon entry of the foregoing amendment, claims 1-20 are pending in the application, with claims 1, 11, 12, and 20 being the independent claims. Amendments have been made to claims 1, 2, 4, 6, and 8-20 to correct informalities as requested by the Examiner. These changes merely clarify the claim language; they are not made in response to any prior art rejection and do not change the scope of the claims. Claims 1 and 12 have also been amended to more clearly recite that the incoming signal comprises a sequence of peaks.

The Examiner's assistance in noting the need for a certified copy of the UK priority document is noted with appreciation. This document was ordered in response to

the comment in the previous Office Action and was submitted on September 20, 2004.

Thus, the Examiner should have received the priority document shortly after issuing his action. The undersigned requests that the Examiner telephone him if the priority document is not in the file.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claims 1, 2, 4, 6, 8-10, and 12-19 were rejected as obvious based on the combination of U.S. Patent 6,597,746 to Amrany et al. and U.S. Patent 6,038,261 to Mestdagh. This rejection and the assertions in the Office Action are respectfully traversed, and reconsideration is requested based on the following remarks.

As noted in the Office Action, the combination of the Mestdagh and Amrany circuits would be unstable when applied to a signal comprising a sequence of peaks. Independent claims 1 and 12 have been amended to recite that the signal comprises a sequence of peaks, thus distinguishing the claimed invention from the functional result of the proposed combination.

Claims 1 and 12 are also distinguishable from the proposed combination in other ways. Claim 1 recites the step of "clipping the band-limited over-sampled signal relative to said threshold value, filtering the clipped band-limited over-sampled signal," and "subtracting the filtered clipped signal from the band-limited, over-sampled signal to produce an output signal." Claim 12 recites a circuit that operates by "clipping the band-limited over-sampled signal relative to said threshold value, filtering the clipped band-limited over-sampled signal, and subtracting the filtered clipped signal from the band-limited, over-sampled signal."

As admitted by the Office in the reasons for allowability of claims 11 and 20, the combination of Mestdagh and Amrany do not teach subtracting a filtered clipped signal from a band-limited over-sampled signal in the claimed context. Therefore, claims 1 and 12 are patentably distinguished from this combination by the recitation of these features.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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